

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY**

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SHIRE LABORATORIES, INC.,

Plaintiff,

v.

COREPHARMA, LLC,

Defendant.

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Civ. Action No. 06-2266 (SRC)

**ORDER**

**CHESLER, U.S.D.J.**

This matter having come before the Court on the thirteen motions in limine filed by Plaintiff Shire Laboratories, Inc. (“Shire”) and Defendant Corepharma, LLC (“Corepharma”); and it appearing that this Court reviewed the parties’ submissions and heard oral argument on June 1, 2009; and for the reasons set forth on the record during oral argument, and good cause appearing,

**IT IS** on this 1st day of June, 2009,

**ORDERED** that Shire’s motion in limine (Docket Entry No. 332), to Exclude the Expert Testimony of Corepharma’s Proposed Patent Law Expert Arthur J. Steiner, Esq., is **DENIED**; and it is further

**ORDERED** that Shire’s motion in limine (Docket Entry No. 334), to Exclude the Expert Testimony of Corepharma’s Proposed Economics Expert Ms. Catherine M. Lawton, is **DENIED**; and it is further

**ORDERED** that Shire’s motion in limine (Docket Entry No. 336), to Enforce the Court's Claim Construction Order and Opinion (D.E. 217, 218) and Limit Corepharma LLC to Only

Those Court-Ordered Constructions, is **GRANTED**; and it is further

**ORDERED** that Shire's motion in limine (Docket Entry No. 341), to Exclude Improper Expert Testimony and Corresponding Testing by Reza Fassihi, Ph.D. Concerning the "Granular Matrix Theory," is **DENIED**; and it is further

**ORDERED** that Shire's motion in limine (Docket Entry No. 338), to Exclude Corepharma's Expert, Reza Fassihi, Ph.D., from Testifying Regarding Raman Spectroscopy, is **DENIED**; and it is further

**ORDERED** that Corepharma's motion in limine (Docket Entry No. 330), to preclude Shire from asserting or offering any evidence in support of an assertion of infringement of US Patent No. 5,326,570 under the Doctrine of Equivalents, is **DENIED**; and it is further

**ORDERED** that Corepharma's motion in limine (Docket Entry No. 328), to preclude Shire from offering any evidence from experts or other witnesses that Shire did not timely disclose, is **GRANTED** to the extent that any expert evidence that had not been disclosed by the conclusion of any expert's deposition is inadmissible at trial; and it is further

**ORDERED** that Corepharma's motion in limine (Docket Entry No. 324), to Preclude Shire From Offering Any Testimony from or reliance on the opinions expressed by Shire's expert Dr. David Bugay, is **DENIED**; and it is further

**ORDERED** that Corepharma's motion in limine (Docket Entry No. 329), to preclude Shire from offering any evidence of commercial success or any expert testimony from Shire's expert Dr. Berndt, is **DENIED**; and it is further

**ORDERED** that Corepharma's motion in limine (Docket Entry No. 323), to exclude testimony or evidence relating to claims 2 & 18 of the '570 Patent, is **DENIED**; and it is further

**ORDERED** that Corepharma's motion in limine (Docket Entry No. 325), to exclude testimony or evidence relating to claims 10 & 11 of the '570 Patent and for judgment of non-infringement of claims 10 & 11 of the '570 Patent, is **DENIED**; and it is further

**ORDERED** that Corepharma's motion in limine (Docket Entry No. 326), to preclude the expert testimony of Christopher T. Rhodes, is **DENIED**; and it is further

**ORDERED** that Corepharma's motion in limine (Docket Entry No. 327), to preclude Shire from offering any testimony relying on opinions expressed by Shire's expert Dr. David R. Taft, is **DENIED**; and it is further

**ORDERED** that Shire's motion to substitute party pursuant to Rule 25(c) (Docket Entry No. 331) is **GRANTED**.

s/ Stanley R. Chesler  
Stanley R. Chesler, U.S.D.J.